

dollars (\$18,500.00) in settlement of the NYCLU's claims for attorneys' fees and litigation costs. This payment shall constitute full and final satisfaction of any claims by the NYCLU for attorneys' fees and litigation costs in this matter, and is inclusive of any interest. Payment shall be made by electronic funds transfer, and counsel for the NYCLU will provide the necessary information for ICE to effectuate the transfer.

2. The NYCLU releases and discharges ICE and the United States of America, including its agencies, departments, officers, employees, servants, and agents, from any and all claims and causes of action that the NYCLU asserted, or could have asserted, in this litigation or any administrative proceeding arising out of the FOIA Request.

3. This action is hereby dismissed with prejudice and without any costs or fees except as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction over any issues that might arise relating to the enforcement of this Stipulation and Order.

4. Nothing in this Stipulation and Order shall constitute an admission that ICE is liable for any attorneys' fees or litigation costs, or that the NYCLU "substantially prevailed" in this action under 5 U.S.C. § 552(a)(4)(E), or is entitled to or eligible for any attorneys' fees or litigation costs. This Stipulation and Order is entered into by the parties solely for the purpose of compromising disputed claims in this case and avoiding the expenses and risks of further litigation. This Stipulation and Order is non-precedential with respect to any other proceeding involving the Parties, including, but not limited to, any other FOIA action or administrative proceeding, and shall have no effect or bearing on any pending or future request for records made by the NYCLU under FOIA.

5. This Stipulation and Order contains the entire agreement between the Parties, and no statement, representation, promise, or agreement, oral or otherwise, between the Parties or their counsel that is not included herein shall have any force or effect.

6. Counsel for ICE will be filing this Stipulation and Order via the ECF system on behalf of both parties. Pursuant to Rule 8.5(b) of the Electronic Case Filing Rules & Instructions of the U.S. District Court for the Southern District of New York, counsel for the NYCLU consents to the electronic filing of this Stipulation and Order by counsel for ICE.

COUNSEL FOR PLAINTIFF:

Dated: New York, New York
April 22, 2020

By: /s/ Megan Sallomi
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COUNSEL FOR DEFENDANT:

Dated: New York, New York
April 23, 2020

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SO ORDERED on this _____ day of _____, 2020.

HON. MARY KAY VYSKOCIL
United States District Judge